

**CITY OF WOBURN
JULY 8, 2008 - 7:30 P.M.
REGULAR MEETING OF THE CITY COUNCIL**

Roll Call

Denaro	Gately
Drapeau	Gonsalves
Dwyer	Mercer-Bruen
Galvin	Raymond
Doherty	

VOTED to dispense with the reading of the previous meeting's Journal and to APPROVE.

MAYOR'S COMMUNICATIONS:

ORDERED That the sum of \$40,000.00 be and is hereby appropriated as so stated from Overlay Reserve Acct #01-322000 \$40,000.00 to Police Traffic Vehicle Acct #0112158-586662 \$40,000.00, Total \$40,000.00

I hereby approve the above: s/Thomas L. McLaughlin
I hereby request the above: s/Philip L. Mahoney, Chief of Police
I have reviewed the above: s/Gerald W. Surette, City Auditor

s/Alderman _____

ORDERED That the sum of \$45,000.00 be and is hereby transferred as so stated from Demolition of Reeves School Acct #0112158-586572 \$45,000.00 to Reeves School Landscaping Acct #0112158-586597 \$45,000.00

I hereby approve the above: s/Thomas L. McLaughlin, Mayor
I have reviewed the above: s/Gerald W. Surette, City Auditor

s/Alderman _____

PUBLIC HEARINGS:

On the petition by College Street Partners LLC, 900 Cummings Park Center, Suite 301U, Beverly, Massachusetts 01915 for a special permit pursuant to Sections 5.1.57b, 5.1.71, 7.3, 8.2.5 and 9 to allow for a 300 vehicle parking lot; a reduction in parking for the

office, warehouse and distribution use; the parking of commercial motor vehicles and shuttle buses; and for the continuation of the existing warehouse and distribution use all within a flood plain district at 23 Mack Road a/k/a 23 Rainin Road, Mack Road and Mack Road Rear. PUBLIC HEARING OPENED. A communication dated July 3, 2008 was received from Attorney Joseph Tarby, Murtha Cullina LLC, 600 Unicorn Park Drive, Woburn, Massachusetts 01801 as follows:

Re: College Street Partners LLC, 23 Mack Road a/k/a 23 Rainin Road Mack Road and Mack Road Rear, Woburn, Massachusetts

Dear Mr. Campbell:

On behalf of my client I respectfully request that the above-referenced Petition by given leave to withdraw without prejudice.

If you need any further information please contact me. Thank you.

Very truly yours, s/Joseph R. Tarby, III

On the petition by Self Storage Group LLC, 637 Washington Street, Suite 200, Brookline, Massachusetts 02446 for a special permit pursuant to Section 5.1.42a of the 1985 Woburn Zoning Ordinances, as amended, to allow for self storage warehouse with a floor area ratio of 1.85 at 420 and 422 Washington Street. PUBLIC HEARING OPENED. A communication dated July 2, 2008 was received from Edmund P. Tarallo, Planning Director, Woburn Planning Board as follows:

Re: Self Storage Group LLC – 420 and 422 Washington Street – To allow for a self-storage warehouse with a floor area ration of 1.85 under Section 5.1.42a

Dear Mr. Campbell and members of the City Council:

At the Planning Board meeting held on June 24, 2008, the Board voted to send a favorable recommendation to the City Council to allow for a self-storage warehouse with a floor area ratio of 1.85 under Section 5.1.42a at 420 and 422 Washington Street subject to the following conditions:

1. The Petitioner shall construct and improve the Site as described in a plan submitted with the Petition for Special Permit entitled “Application for Site Plan Review and Special Permit for a proposed Self-Storage Building, Washington Street and Mishawum Road, Woburn, Massachusetts” Prepared for: SSG Development, LLC, 651 Washington Street, Suite 200, Brookline, Massachusetts 02446-4518, prepared by BL Companies, 355 Reservation Parkway, Meriden, Connecticut 06450 dated June 5, 2008 Sheets 1, DM-1, SP-1, GD-1, SU-1, EC-1, LL-1, LL-2, LP-2, GN-1, DN 1, 2, 3, 4, 5, AL.01, AL.02, AL.03, AL.04, A2.02 and A2.02.” (the "Plan").
2. That the Planning Board shall retain jurisdiction over the landscaping.

3. All dumpsters and waste containers shall be enclosed, by means of a fence, wall or landscaping in compliance with the Woburn Zoning Ordinances.
4. Exterior construction activities on the Site shall not commence prior to 7:00 a.m. and shall cease no later than 6:00 p.m. Monday through Friday and 8:00 a.m. to 6:00 p.m. Saturday. This condition shall not apply to any work performed by any public utility.
5. During the Site redevelopment and construction phases, the Petitioner shall maintain all adjoining roadways free and clear of all debris.
6. All exterior building illumination shall be shielded in such a manner that will prevent direct light from impacting any abutting properties.
7. All blasting activities shall not commence prior to 9:00 a.m. and shall cease before 4:00 p.m. Monday through Friday.
8. Prior to the commencement of blasting activities on the premises, the Petitioner shall provide to the City of Woburn a letter of credit in the sum of Five Hundred Thousand and 00/100 (\$500,000.00) Dollars for the creation of a Blasting Fund, which Fund shall be administered by the City of Woburn through its City Solicitor's office pursuant to procedures deemed appropriate by both the Planning Director and City Solicitor's office for the processing of claims that may be submitted by any Complainant as a result of blasting damage alleged to be caused by the blasting on the premises.
9. The applicant shall provide onsite fire hydrants as required by the Fire Chief.
10. That any utility service that will not be reused will need to be cut and capped at their respective mains.
11. The extension of the existing sewer main on Old Washington Street shall be a minimum of 8" in diameter.
12. That all improvements proposed in Old Washington Street shall be obtained prior to building permit.
13. That during the AM and PM peak periods traffic shall be restricted to right turn only until completion of the Washington Street improvement project is completed.
14. That the proposed retaining wall which is in excess of 13 feet shall be structurally engineered and plans submitted to the engineering department and the building department for review and approval.

If members of the City Council have any questions or concerns regarding the foregoing recommendation, please feel free to contact me.

Sincerely, s/Edmund P. Tarallo, Planning Director

On the petition by Lytron, Incorporated, 55 Dragon Court, Woburn, Massachusetts 01801 to amend the Zoning Map of the City of Woburn by amending the zoning district for a parcel of property identified on the Assessor's Map as 16-2-4 and 16-2-2 and located at 41 Dragon Court and a portion of 55-73 Dragon Court from the R-2 zoning district to the I-P zoning district. PUBLIC HEARING OPENED. A communication date June 13, 2008 was received from Edmund P. Tarallo, Planning Director as follows:

Re: Lytron, Incorporated – 41 Dragon Court and the portion of 55-73 Dragon Court zoned R-2 – Amend Zoning Map from R-2 to I-P

Dear Mr. Campbell and Members of the City Council:

At the Planning Board meeting held on June 10, 2008, the Board voted to forward an unfavorable recommendation to the City Council on the zoning map amendment for the lot at 41 Dragon Court and the portion of 55-73 Dragon Court zoned R-2 from R-2 to I-P.

If you or members of the City Council have any questions or concerns regarding the foregoing matter, please feel free to contact me.

Sincerely, Edmund P. Tarallo, Planning Director

A report was received from the Committee on Ordinances as follows: “ought to deny.”

On the petition by MetroNorth Hotel LLC, c/o National Development, 2310 Washington Street, Newton, Massachusetts 02462 for a special permit pursuant to Sections 5.1.20 and 8.3.2 of the 1985 Woburn Zoning Ordinances, as amended, to amend the prior special permits granted on October 26, 2000 to delete the reference to “brick façade” contained in a condition of the special permits at 300 Presidential Way. PUBLIC HEARING OPENED. A copy of a communication dated June 24, 2008 from Brett F. Gonsalves, Senior Engineer, Engineering Department to Edmund Tarallo, Planning Director as follows:

Subject: 300 Presidential Way – Special Permit Modification – Application Dated June 12, 2008

This office has reviewed the special permit application for the above referenced location and takes no exception to the application as submitted.

If you or the board have any questions concerning this information, do not hesitate to contact this office.

A communication dated July 2, 2008 was received from Edmund P. Tarallo, Planning Director, Woburn Planning Board as follows:

Re: MetroNorth Hotel LLC – 300 Presidential Way – To modify Condition 1 of Special Permit dated October 3, 2000

Dear Mr. Campbell and Members of the City Council:

At the Planning Board meeting held on June 24, 2008, the Board voted to forward a favorable recommendation to the City Council allowing for the deletion of condition 1 of

the October 3, 2006 decision for 300 Presidential Way in accordance with the following: That the renderings dated May 30, 2008 Pages 1-3 from Group One Incorporated, 21 West Third Street, Boston, Massachusetts 02127 showing the façade of the hotel shall be accepted as representative of the color, appearance and shadow lines of the alternative exterior siding as authorized by this modification to the October 3, 200 special permit.

If members of the City Council have any questions or concerns regarding the foregoing recommendation, please feel free to contact me.

Sincerely, s/Edmund P. Tarallo, Planning Director

On the petition by Alderman Darlene Mercer-Bruen pursuant to the provisions of Massachusetts General Laws Chapter 139, Sec.1, et. seq. concerning the lot of land located in the City of Woburn known and numbered as 24 Pine Street, Woburn, Massachusetts for the purposes of determining whether said building or buildings are a nuisance, a nuisance to the neighborhood, dilapidated or dangerous building or buildings or other structure or structures, as said terms are used in Mass. General Laws Ch. 139, Sec. 1, and if so, enter an order adjudging it to be a nuisance to the neighborhood, or dangerous, and prescribing its disposition, alteration or regulation. PUBLIC HEARING OPENED.

On the petition by ACS Development Corporation, 80 Everett Avenue, Suite 319, Chelsea, Massachusetts 02150 for a special permit pursuant to Sections 5.1.5 and 11.6.11 of the 1985 Woburn Zoning Ordinances, as amended, to convert second and third floor office space to residential use, creating five two-bedroom units and one one-bedroom unit at 397 Main Street. PUBLIC HEARING OPENED. A communication dated June 13, 2008 was received from Edmund P. Tarallo, Planning Director, Woburn Planning Board as follows:

Re: ACS Development Corporation, Anthony C. Simboli, Trustee – 397 Main St. – To allow for conversion of second & third floor from offices to 6 apartments under Sections 5.1.5 and 11.6.11

Dear Mr. Campbell and Members of the City Council:

At the Planning Board meeting held on June 10, 2008, the Board voted to forward a favorable recommendation to the City Council on the Special Permit request of ACS Development Corporation, Anthony C. Simboli, Trustee to allow for the conversion of the second & third floors from offices to a total of 6 apartments under Sections 5.1.5 and 11.6.11 subject to the condition that the petitioner shall provide the City Engineer with the necessary documentation showing that there will be sufficient water pressure to service the building upon completion of the proposed improvements.

If members of the City Council have any questions or concerns regarding the foregoing recommendation, please feel free to contact me.

Sincerely, s/Edmund P. Tarallo, Planning Director

On the REMAND pursuant to an Order of the Land Court in the Matters of Lowe's Companies, Inc. and Lowe's Home Centers, Inc. v. Anthony Imperioso, et al. found at Misc. Case No. 291847 and Misc. Case No. 291848 Lowe's Companies, Inc., P.O. Box 1111, North Wilkesboro, North Carolina 28656-0001 for 1. a special permit pursuant to Section 5.1(22) of the 1985 Woburn Zoning Ordinances, as amended, to allow for the addition of a 6,059 square foot storage area to the rear of the building at 15 Commerce Way, and 2. a special permit pursuant to Section 8.2.5 and Section 11 of the 1985 Woburn Zoning Ordinances, as amended, to allow for reduction in the number of parking spaces from 622 to 589 at 15 Commerce Way, and for the purposes of discussing settlement of pending litigation relative to the appeal of the matters and taking action. PUBLIC HEARING OPENED. A communication dated July 2, 2008 with attachments was received from Attorney Joseph Tarby, Murtha Cullina LLC, 600 Unicorn Park Drive, Woburn, Massachusetts 01801 was received as follows:

Re: Lowe's Companies, Inc., 15 Commerce Way, Woburn, Massachusetts

Dear Mr. Campbell:

In connection with the public hearing scheduled for July 8, 2008 pursuant to the Remand Order issued by the Land Court, enclosed please find the following: 1. Ten copies of the rendering of the proposed 6,059 square foot addition to the existing Lowe's Home Improvement Store; 2. Twelve copies of Plan C-1 showing the existing parking count plan and Plan C-2A showing the proposed layout plan with the addition.

In addition to the above I am enclosing one full size copy of both the rendering plan and Plan C-1 and C-2A. If you have any questions please feel free to contact me. Thank you.

Very truly yours, s/Joseph R. Tarby III

On the petition by Lowe's Companies, Inc., 15 Commerce Way, Woburn, Massachusetts 01801 for special permits pursuant to Section 5.1.45, 5.1.57a and 5.1.57b to allow for the rental of moving trucks; accessory storage or parking of storage containers, storage trailers or commercial trailers; and the accessory storage or parking of commercial motor vehicles at 15 Commerce Way. PUBLIC HEARING OPENED.

On the petition by Koffler/GID Woburn LLC, 260 Boston Post Road, Suite 9, Wayland, MA 01778 for a modification of a special permit dated October 9, 2003, as amended by special permit dated August 21, 2006, as amended by a modification dated February 14,

2008, such modification pursuant to Sections 5.1.23, 5.1.29, 7.3, 8.2 and 8.3 of the 1985 Woburn Zoning Ordinances, as amended, to allow for: 1. a further amended site plan, 2. an additional 6,665 square feet of gross floor area more or less, 3. a reduction in the required parking, and 4. parking on a lot separate from 300 Mishawum Road. PUBLIC HEARING OPENED. A copy of a communication dated June 24, 2008 from Brett F. Gonsalves, Senior Engineer, Engineering Department to Edmund Tarallo, Planning Director as follows:

Subject: 300 Mishawum Road Out Parcel Building increase in Floor Area, Reduction in Parking and Parking on Separate Lot Special Permit – Special Permit Applications Dated June 2, 2008 – Plans dated May 30, 2008 – Development Impact Statement Dated may 2008 – Traffic Report Dated June 2008

This office has reviewed the plans for the above referenced project and offers the following comments.

The applicant is proposing a 6,500 SF building near the center entrance on Mishawum Road. The building is proposed to contain a 2,450 SF fast food restaurant and two retail store, on 1,500 SF and the other 2,450 SF.

Water

The utility plan shows the proposed building being serviced by a 4" ductile iron water main with a 1½" domestic copper service. The notation on the plan stated that the 4" DI line will connect to the existing 12" water main. The connection to the 12" water main should be cut in with the appropriate gate valves to isolate the main in accordance to the water department's standards. Tapping sleeve and valve connections are not permitted.

Sewer

The building will be serviced by a 6" PVC sewer service and grease trap. This service will connect to the existing sewer manhole at the entrance of the driveway. This office takes no exception to the sewer design as shown. The development Impact statement has the amount of generated sewerage flows based on Title V, the sewer connection/inspection fee can be calculated based on this number.

Drain

The plans show that there is some associated drainage that is needed for the proposed development, they consist of a catch basin, drain manholes and drain lines. This office takes no exception to the drainage as shown.

Miscellaneous

The Development Impact Statement states that the proposed project will cause a loss in 67 existing parking spaces and 51 new spaces created adjacent to the out parcel and around the new building.

66 new spaces would be needed throughout the site to meet the requirement. The proponent as outlined the areas where new parking areas can be created to meet there

need. The proponent should consult with the planning director to address any concerns he has with the parking configuration.

The proposed water, sewer and drain services for the proposed outparcel are situated within an existing drainage easement, the applicant should verify that they have the proper rights to install these utilities within this easement and any additional installation will not over burden the easement.

The development Impact Statement should include the total project cost breakdown along with the calculated 3% cost for mitigation per Section 18 of the zoning ordinance should be included in the submittal.

This office will continue its review when the above referenced information is addresses.

If you or the board have any questions concerning this information, do not hesitate to contact this office.

A communication dated July 2, 2008 was received from Edmund P. Tarallo, Planning Director, Woburn Planning Board as follows:

Re: Koffler/GID Woburn LLC – 300 Mishawum Road – Modification of Special Permit dated October 9, 2003 as amended February 14, 2008 to further amend site plan; an additional 6,665 S.F of gross floor area; a reduction in the required parking; and parking on a lot separate from the Woburn Mall property as shown on the site plan

Dear Mr. Campbell and members of the City Council:

At the Planning Board meeting held on June 24, 2008, the Board voted to send an unfavorable recommendation to the City Council to allow for the modification of the Special Permit dated October 9, 2003 as amended February 14, 2008 by further amending the site plan; by allowing an additional 6,665 S.F of gross floor area; by allowing for a reduction in the required parking; and by allowing parking on a lot separate from the Woburn Mall property as shown on the site plan pursuant to Section 5.1.23, 5.1.29, 7.3, 8.2, and 8.3 of the Zoning Ordinance at 300 Mishawum Road.

If members of the City Council have any questions or concerns regarding the foregoing recommendation, please feel free to contact me.

Sincerely, s/Edmund P. Tarallo, Planning Director

On the petition by Chair 5 Restaurants – Woburn LLC d/b/a Qdoba Mexican Grill, 572 Washington Street, Suite 17A, Wellesley, Massachusetts 02482 for a special permit pursuant to Sections 5.1.29 and 7.3 of the 1985 Woburn Zoning Ordinances, as amended, to allow for a fast food restaurant and building signage at 300 Mishawum Road. PUBLIC

HEARING OPENED. A communication dated July 2, 2008 was received from Edmund P. Tarallo, Planning Director, Woburn Planning Board as follows:

Re: Chair 5 Restaurants–Woburn LLC d/b/a Qdoba Mexican Grill – 300 Mishawum Road – To allow for a fast food restaurant and building signage under Section 5.1.29 and Section 7.3

Dear Mr. Campbell and members of the City Council:

At the Planning Board meeting held on June 24, 2008, the Board voted to send an unfavorable recommendation to the City Council to allow for a fast food restaurant and building signage under Sections 5.1.29 and 7.3 of the Zoning Ordinance at 300 Mishawum Road.

If members of the City Council have any questions or concerns regarding the foregoing recommendation, please feel free to contact me.

Sincerely, s/Edmund P. Tarallo, Planning Director

CITIZEN’S PARTICIPATION: None.

COMMITTEE REPORTS:

FINANCE:

On the Order to appropriate the sum of \$200,000.00 from the Affordable Housing Stabilization Fund Account to the 397 Main Street Redevelopment Project Account, committee report was received “back for action”.

On the Order to transfer the sum of \$25,000.00 from Fire-Ambulance Receipts (BLS) Account to Fire-Ambulance Maintenance Account, committee report was received “ought to pass”.

SPECIAL PERMIT REVIEW:

On the Planning Board special permit petition filed by Draper Realty LLC affecting land located at Lot 6C (formerly Lots 1 and 1A), Suite A, 29 Draper Street to allow modification of a special permit granted by the Planning Board on June 18, 2007 and further modified, committee report was received “unfavorable recommendation to the Planning Board”.

MUNICIPAL LANDS:

On the Order to allow the discontinuance, abandonment and release of a sewer easement and the acceptance of a new easement on plan located on North Maple Street, committee report was received “ought to pass”.

ORDINANCES:

On the Order to add a new Title 15, Article IV, Section 15-14A to the 1989 Woburn Municipal Code, as amended relative to security gates, grilles and shutters on storefronts, office buildings and other buildings and/or structures used for commercial purposes, committee report was received “ought to pass”.

On the Order to amend Title 5, Article XII, Section 5-76 of the 1989 Woburn Municipal Code, as amended relative to prohibiting overnight parking of a taxicab or limousine on public land, committee report was received “ought to pass”.

PERSONNEL:

On the appointment of James Callahan as a Member of the Woburn Planning Board, committee report was received “ought to pass”.

On the reappointment of Michael Ventresca as a Member of the Woburn Planning Board, committee report was received “ought to pass”.

On the reappointment of Peter Lennon as a Member of the Sign Review Board, committee report was received “ought to pass”.

On the reappointment of Jack Kelly as a Member of the Council on Aging, committee report was received “ought to pass”.

NEW PETITIONS:

Petition by Ahmad Abba dba A.A. Transportation, 21 Cummings Park, Suite 212, Woburn, Massachusetts 01801 for a new Taxi Cab License.

Petition by Amandeep Singh dba HI FI Limo, 7 Micro Drive, Woburn, Massachusetts 01801 for a new Livery License.

Petition by Fabio A. DeSouza, 12 Sheridan Street, Woburn, Massachusetts 01801 for a special permit pursuant to Section 5.1.44 of the 1985 Woburn Zoning Ordinances, as amended to allow an automobile and truck repair garage at 317 Montvale Avenue.

Petition by Jordan Holt and Sean Kennedy, 143 Pleasant Street, Unit 4B, Cambridge, Massachusetts 02139 for a special permit to amend a special permit issued July 8, 2004 pursuant Section 5.1.35 of the 1985 Woburn Zoning Ordinances, as amended, as follows:
1. By amending Condition 3 to allow crates to protect and rest dogs, 2. By amending Condition 4 to allow 100% of the dogs at the daycare to be outside at the same time, 3. By amending Condition 11 to allow a maximum of fifty (50) dogs on site, and 4. By amending Condition 13 to allow the hours of operation not to exceed 6:30 a.m. to 7:00 p.m. at 2 Gill Street, Unit K.

Petition by OCS America, Inc., 27 Draper Street, Woburn, Massachusetts 01801 for two special permits pursuant to the 1985 Woburn Zoning Ordinances, as amended, as follows:
1. Pursuant to Section 5.1.42 to allow for warehouse and distribution use and 2. Pursuant to Section 5.1.57b to allow for the parking of commercial vehicles, both at Suite B, 29 Draper Street.

COMMUNICATIONS AND REPORTS:

A communication dated was received from Charles L. O'Connor, Parking Clerk, Police Headquarters, 25 Harrison Avenue as follows:

In accordance with Massachusetts General Laws Chapter 90, Section 20A½, I am submitting this on parking violations within the City of Woburn for the period ending May 2008: number of parking violations issued 583, number of violations paid 370, number of violations outstanding 317, amount collected and submitted to the Office of the Collector \$31,537.20. There exists a backlog of 4,990 tickets for 1982 through 2007. Demands will be sent until all tickets have been paid. Parking violations referred to the Handicapped Commission \$5,300.00.

Respectfully submitted, s/Charles L. O'Connor, Parking Clerk City of Woburn

A communication dated June 26, 2008 with attachments was received from Joanne Collins, Director, Woburn Council on Aging along with the minutes of the June meeting of the Council on Aging and the Director's report for the month of June.

A communication dated June 17, 2008 with attachments was received from Steven M. Paris, Building Commissioner as follows:

Re: Prime Gas Station – 117 Pleasant Street

It has been brought to my attention on a number of occasions that “Prime” gas station on Pleasant Street does not abide by a few of the conditions placed on its Special Permit. A neighbor of the operation claims that the station stays open after its permitted hours of operation and the delivery of fuel after the station is closed. I have written and spoke to the station owner regarding the neighbor being disturbed by his business but still the complaints keep coming.

Therefore to resolve the neighbor’s concerns I ask that the City Council either rescind its approval of the stations Special Permit or require a change to its hours of operation and times for fuel delivery. I’ve attached complaints and other for your review.

Submitted by Woburn Traffic Commission pursuant to Section 6 of Chapter 103 of the Acts of 2005:

ORDERED That Rule 1 of the Rules and Orders of the Traffic Commission be amended by striking the time “3:00 p.m.” from the first sentence and inserting in its place the time “4:00 p.m.”

A communication dated June 19, 2008 was received from Attorney Michele E. Randazzo, Kopelman and Paige, P.C., relative to recent changes to Family and Medical Leave Act – Application to Military Service.

A communication dated June 18, 2008 with attachment was received from Donald Borchelt, Executive Director, Woburn Redevelopment Authority relative to the Fiscal Year 2009 Strategic Plan for the Woburn Redevelopment Authority.

A communication dated June 12, 2008 with attachment was received from Ernest Zucco, Business Manager, Northeast Metropolitan Regional Vocational School District along with the adjusted final FY2009 Budget/Assessment indicating that the assessment of the city of Woburn was reduced to \$1,208,355.00.

A communication dated June 27, 2008 was received from His Honor the Mayor Thomas L. McLaughlin recommending that it be referred to the Committee on Municipal Lands/Highways relative to a request by Unison, 280 Summer Street, 9th Floor, Boston, Massachusetts 02210 to discuss a cell tower on municipal property.

A communication dated July 1, 2008 was received from His Honor Governor Deval L. Patrick relative to the 2009 version of Commonwealth Capital which endorses planning and zoning measures that are consistent with the Commonwealth's Sustainable Development Principles and encourages municipalities to implement these measures by using state funding as an incentive.

UNFINISHED BUSINESS OF PRECEDING MEETING: None.

APPOINTMENTS AND ELECTIONS:

A communication dated June 30, 2008 was received from His Honor the Mayor Thomas L. McLaughlin as follows:

Re: Kathleen Lucero – Historic District Commission

Dear Mr. Campbell:

By the power vested in me as Mayor of the City of Woburn, I hereby re-appoint Kathleen Lucero of 74 Willow Street as a member of the Historic District Commission for a period of three years.

Ms. Lucero's appointment will be effective on the date of confirmation by the City Council; Ms. Lucero re-appointment term will expire three years from that date.

If you have any questions, please feel free to contact me.

Sincerely, s/Thomas L. McLaughlin, Mayor

MOTIONS, ORDERS AND RESOLUTIONS:

ORDERED Be it ordained by the City Council of the City of Woburn that the 1985 Woburn Zoning Ordinances, as amended, be further amended by striking from Section 2 Definitions the definition for "Sign, Window" in its entirety and replacing same with the following:

"Sign, Window: A sign that is applied or attached to a window or door, or a sign located near a window within a building for the purpose of being visible to and read from the outside of the building."

s/Alderman _____

ORDERED Whereas, the residence and whereabouts of James E. Horton and Anna G. Horton, both formerly of 5 Lillian Street, Woburn, Massachusetts, or their agents, are unknown,

Now, Therefore, Be It Ordered by the City Council of the City of Woburn, pursuant to Massachusetts General Laws Chapter 139, Section 1 and Massachusetts General Laws Chapter 111, Section 124, that the city clerk be and hereby is directed to serve notice of the Order declaring the real property located at 5 Lillian Street a nuisance on James E. Horton and Anna G. Horton by instructing an officer authorized to serve civil process to post a copy of the notice in a conspicuous place on 5 Lillian Street, Woburn and by advertising the Order for at least three out of five consecutive days in one or more newspapers of general circulation within the city of Woburn.

s/Alderman Mercer-Bruen

RESOLVED That the Superintendent of Public Works repave all of Belmont Street curb to curb from the intersection with Garfield Avenue to the Arlington Street cul-de-sac.

s/Alderman Gately

RESOLVED That the Superintendent of Public Works re-curb, grind and overlay Carter Street from Garfield Avenue to Conn Street.

s/Alderman Gately

RESOLVED That the City Council hear from the residents of the city relative to odors emanating from the Kraft Foods building on Hill Street.

s/Alderman Gately

RESOLVED Whereas, the Boston Globe each year awards to one outstanding boy scholar-athlete and one outstanding girl scholar-athlete in each of the six MIAA districts plus Boston the designation of Boston Globe/Richard Phelps Scholar-Athletes; and

Whereas, the students are nominated for the distinction by the principals of public and private high schools across Massachusetts based on their academic and athletic prowess; and

Whereas, Daniel Tobin was nominated as an outstanding scholar-athlete from Woburn Memorial High School; and

Whereas, Daniel Tobin excelled in soccer, indoor track and lacrosse and was a two-time league All-Star in both soccer and lacrosse; was a member of the national champion 4x400 relay team at the National Scholastic Indoor Track and Field Championships; and as track All American he earned both the Coach's Award and the Most Dedicated Award , and finished first in seven different championships over the year including the 4x400 McIntyre Elite Relays and the 4x400 Coaches Elite Relay; and

Whereas, Daniel Tobin graduated Summa Cum Laude from Woburn Memorial High School and finished in the top five percent of his class; was a member of the National Honor Society, the Excalibur Science Society and was the recipient of the Merrimack College Book Award and the John and Abigail Adams Scholarship; received awards for academic excellence in English, Anatomy and Physiology, Accounting, Pre-Calculus, and Physical Education; excelled in the SAT; and was Vice President of his class all four years of high school; and

Whereas, Daniel Tobin is the first Woburn Memorial High School student to receive the distinction of being named a Boston Globe/Richard Phelps Scholar Athlete;

Now, therefore, the City Council of the City of Woburn recognizes the efforts and accomplishments of Daniel Tobin and extends the best wishes of the community on his continued academic and athletic success.

s/Alderman _____

Motion made and 2nd to ADJOURN.